

 KENTUCKY CORRECTIONS Policies and Procedures	Policy Number	Total Pages
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References/Authority KRS 196.035, 197.020, 197.045, 197.110, 197.120, 197.170, 197.180, 439.590, 439.600, 439.610, 440.010(1), 520.030, 520.040; ACA Standards 4-4302, 4-4303, 4-4304, 4- 4305, and 4-4306	Subject COMMUNITY CENTER PROGRAM	

I. DEFINITIONS

"Classification Branch Manager" means one who approves an inmate for placement in jails and in halfway house facilities throughout the state.

"Community Center Diversion Program" means utilizing halfway houses for parolees who require a more structured setting.

"Community Centers" means jails and halfway houses that house state pre-release inmates and parolees.

"Contract Management Branch Manager" means one who oversees the halfway house programs throughout the state.

"Deferment" means a Parole Board action, if the final decision of an inmate's case is continued for a certain number of months.

"Escape" is defined in KRS 520.010 (5).

"Halfway house" means a residential facility, located in the community, which provides services to felons, misdemeanants, ex-offenders, probationers, parolees, and pre-sentence and pre-release participants.

"Jail" means city jails, county jails, workhouses, and all other facilities for the detention of prisoners, other than penitentiaries, reformatories, and juvenile facilities, operated apart and separate from a jail by agencies of state, county, and city government. It also includes any of those facilities on a joint or jurisdiction basis.

"Meritorious Good Time" means the good time described in KRS 197.045 (3).

"Parolee" means a person who has been released from a correctional facility to parole.

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"Probationer" means a person convicted but not yet imprisoned, on the conditions of continued good behavior and regular reporting to a probation officer.

"Reintegration" means the process of preparing both community and offender for his return as a productive and accepted citizen.

"Statutory Good Time" means the good time described in KRS 197.045(1).

II. POLICY and PROCEDURES

Community Services and Support Services shall administer the community center program to divert an offender from an institution and reintegrate him into society. An individual in the program shall be serving a felony sentence in a local jail or halfway house under contractual agreement with Corrections.

A. An inmate meeting the following criteria may be recommended for transfer to a community center. An inmate shall:

1. qualify for community custody as established by the Corrections Classification Manual;
2. be expected to remain in the program a minimum of thirty (30) days; and
3. be physically and psychologically capable of functioning in the community center without ongoing professional intervention. Jail center referrals shall be capable of performing manual labor.

B. Parolee and Probationer Placements

1. Parolees selected to participate in the Community Center Diversion Program shall be appointed by the district supervisor.
2. Parolees participating in the Community Center Diversion Program shall be allowed a maximum stay of sixty (60) days in a halfway house facility.

If unusual circumstances exist, extensions may be granted in thirty (30) day intervals with written justification submitted to the Contract Management Branch Manager for final approval. Only two (2) extensions may be granted.

3. If bed space is available, probationers may participate in the Community Center Diversion Program with a maximum stay of six (6) months in a halfway house facility.

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C. Placement Priorities

Each offender's eligibility and needs assessment shall dictate the appropriateness of a community center placement as a diversion or reintegration mode of case management.

1. Priority shall be given to an eligible inmate in the Assessment and Classification Center.
2. Priority shall be given to:
 - (a) An eligible offender granted parole to a community center area but who needs assistance to obtain an acceptable home and employment placement;
 - (b) An eligible offender due to be released to a community center area by expiration of sentence; and
 - (c) An eligible offender qualified for vocational training and study release.

D. Community Center Transfer Process

1. An inmate transfer to a community center shall be coordinated by the Contract Management Branch in conjunction with the Classification Branch Office.
2. If an inmate is transferred to a community center the medical record shall be sent to the receiving jail or halfway house.
3. An inmate transferred to a community center shall bring all personal belongings with him.
4. The institutional record shall be maintained in Central Office. If transferred, the inmates' money shall be sent to the appropriate personnel at the community center.
5. If the inmate is within sixty (60) days of his parole eligibility date, a pre-parole progress report shall be prepared by the sending institutional case manager prior to transfer.
6. If the parole eligibility date occurs more than sixty (60) days after arrival, the community center contact person shall be responsible for providing a pre-parole progress report.

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E. Transfers from Community Centers

An inmate in the community center may be transferred back to an institution. The reason for a transfer may include medical problems, disciplinary problems, protective custody needs and parole deferments. In all cases, a transfer shall be approved by the Classification Manager.

If immediate action is required, the Probation and Parole Officer shall contact and advise the Contract Management Branch Manager of the need for transfer.

F. Annual Inmate Photographs

A new photograph shall be taken annually of each state inmate in a halfway house. The updated photograph shall be obtained on the anniversary date of the inmates' conviction. The photographs shall be immediately submitted to the KOMS.

G. Transportation from Community Centers

An inmate in the community center shall be transported by Community Services personnel as the need arises. This shall include Parole Board hearings, shock probation hearings, and transfers back to an institution. An officer may take any precautions he deems necessary to maintain control of an inmate, if transporting. This may include the use of restraints and carrying a weapon. If restraints are used, all inmates shall be restrained.

H. Disciplinary Problems

A community center inmate shall be subject to the rules of conduct particular to each community center in addition to Corrections rules and regulations. Community center sanctions shall be utilized for internal control; however, an offense which may result in segregation and statutory loss of good time shall be documented and the inmate transferred back to an institution. A community center occurrence report describing the nature of the occurrence and a summary of the investigation shall accompany the inmate. A disciplinary transfer shall be approved by the Classification Manager.

The community center occurrence report shall include:

1. The date and time of the incident;
2. A listing of the personnel involved;

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3. A detailed summary of the nature of the occurrence described by the person who witnessed the incident including the jail staff, halfway house staff, or work supervisor;
4. A summary of the investigation described by the probation and parole officer or supervisor who did not witness the incident; and
5. Necessary documentation shall be attached to the report.

I. Community Center Release Procedures

Proper care shall be given towards the handling of the legal release of an inmate in the community center program.

1. Court Order Shock Probation

- a. Application: An inmate needing an application for court ordered shock probation shall be provided forms through the probation and parole office handling community centers as the need arises. The probation and parole office shall facilitate contact with the local Public Advocate's Office concerning legal problems and questions the community center inmate may have.
- b. Transportation: The local probation and parole officer shall provide transportation for a verified court order to produce the inmate for a shock probation hearing. Prior to the hearing the probation and parole officer shall review available information to ascertain whether the inmate is serving a sentence from another court or has a detainer.
- c. Court Release: If the judge grants shock probation with the inmate present in court, the inmate shall be released from custody only if other sentences or detainers are not active.
- d. Center Release: If an order to release an inmate is received through the mail, measures shall be taken to verify the order. The Circuit Court Clerk's office shall be contacted to verify the order upon advisement that shock probation has been granted. A copy shall be taken to the Center Operator and the inmate advised of any stipulations concerning the probation. If the probation and parole officer is unable to be present at the center, a telephone call may be made to the center operator advising him to release the particular inmate. In this case, the center operator shall be asked to call the probation and parole office to verify the order before releasing the

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inmate. If verification cannot be made either through the probation and parole office or the Circuit Court Clerk's Office, he shall not release the inmate. A copy of the order shall be sent to the Contract Management Branch Manager who in turn shall send a copy to the Offender Information Services Branch. Discharge notices shall be typed by the records clerk, one (1) copy retained in the inmate file and one (1) copy shall be forwarded to the Offender Information Services Branch. Caution shall be taken to ensure that the order is verified and that the inmate does not have additional sentences or detainers.

2. Parole Release

- a. An inmate recommended for parole who meets the eligibility guidelines of Corrections Policy and Procedure 25.4 may be eligible for a seven (7) day furlough which may be extended for twenty-one (21) additional days at seven (7) day intervals. A furlough extension shall be approved by the Classification Branch Manager in Central Office.

An inmate on an extended furlough from a community center shall be required to report to the probation and parole office within twenty-four (24) hours of release.

- b. Every effort shall be made by the probation and parole officer to assist the inmate in seeking employment and home placement. It may be necessary to allow an inmate to seek employment in an adjacent or nearby county if employment is not available in his home community.
- c. For furlough extensions, the inmate shall report to the probation and parole office on the sixth day of his furlough until parole papers are processed or upon expiration of furlough.
- d. Once the parole papers are received, the probation and parole officer shall instruct the parolee to sign the certificate and issue the original copy to the parolee. Other copies shall be distributed as follows; one (1) copy of the certificate to the Parole Board and one (1) copy of the certificate along with all dated notice of discharges to the Community Detention Branch Manager in Central Office.
- e. If an inmate on extended furlough has not secured an adequate home and employment placement within twenty-one (21) days, he shall be returned to the appropriate community center. An

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extension requested beyond twenty-one (21) days shall be justified in writing and submitted to the Classification Branch Manager for final approval.

3. Expiration Release

If an inmate shall be discharged by expiration of sentence, a notice of discharge shall be mailed to the designated probation and parole office approximately ten (10) days prior to the discharge date. The probation and parole office working with the community center shall process the discharge and ensure the inmate's release. A copy of the notice of discharge shall be forwarded by the Offender Information Services Branch to the officials stipulated in KRS 197.170. In addition, victims shall be notified of the inmate's release by the Offender Information Services Branch if the victim has requested notification.

J. Community Center Furlough Program

Particular criteria and procedures relative to community center furloughs shall be followed. Authority and responsibility for granting community center furloughs shall be with the Classification Branch Manager. Community center furloughs shall be separate from the institutional program and regulations concerning eligibility, frequency and length of furloughs are set forth below.

1. Eligibility

- a. Furloughs in the community center program shall be a privilege, not a right. A furlough may be denied for the following reasons: poor adjustment at the center; objections from local officials; or an inmate record that reflects a history of violence. Documented objections from a sentencing judge shall result in the denial of a furlough for an inmate sentenced in his jurisdiction and shall result in the denial of a furlough to those counties under his jurisdiction.
- b. A resident referred to the community center program shall be considered for a furlough after sixty (60) days in the center if he is classified as minimum or community custody for six (6) months.
- c. A community center inmate who receives more than a one (1) month deferment at a parole hearing shall wait one (1) month before being eligible for a furlough.

2. Frequency and Length

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- a. An eligible community center inmate shall be considered for a furlough once a quarter after the initial furlough has taken place. Quarters shall be January through March, April through June, July through September and October through December.
- b. A furlough shall not exceed forty-eight (48) hours in length and shall not exceed eight (8) days each calendar year. There shall be a minimum of sixty (60) days between furloughs.

3. Requirements

- a. An inmate and his family shall show evidence of an ability and willingness to pay his expenses while on furlough.
- b. The inmate shall indicate his destination and means of transportation on his application.
- c. Travel time may be added to the approved furlough time if an inmate is housed in a facility that is more than two (2) hours from his furlough address. An inmate shall be allowed only necessary travel time with a maximum of six (6) hours each way.
- d. An inmate with a documented violation of the terms or conditions of a furlough shall not be granted an additional furlough while serving on the same conviction unless approved by the Deputy Commissioner of Support Services.
- e. An inmate shall not be permitted to visit a convicted felon, victim of his crime, or person involved in his current crime while on furlough.
- f. An inmate applying for an overnight furlough shall indicate that suitable housing is available.
- g. An overnight furlough shall be allowed to a verified family member only. If an exception is requested, it shall be presented to the Classification Branch Manager with specific written justification.
- h. A 24-hour emergency furlough may be granted for a death, bedside visit or funeral visit of an immediate family member as defined in Corrections Policy and Procedure 9.4 and if approved by the Classification Branch Manager. Officials shall be notified via telephone or fax if an emergency furlough takes place.

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- i. An emergency furlough may be granted for a community center inmate who is admitted into a hospital for medical treatment.

4. Procedures to be Followed

- a. Community center inmates shall be provided with furlough applications through the probation and parole officer's weekly visit.
- b. The inmate shall complete the furlough application allowing at least four (4) weeks prior to the requested release date.
- c. An inmate's first furlough in the program shall be submitted to Central Office for approval by the Classification Branch Manager or his designee. Initial furlough applications shall allow thirty (30) days for processing.
- d. The probation and parole officer working with the community center shall process the furlough application and submit it to the District Supervisor with the officer's recommendation. Care shall be taken to verify that the furlough is desired by the individual to be visited. A surprise furlough shall not be allowed.
- e. The District Supervisor shall make the final decision concerning the approval or disapproval of the furlough.
- f. Upon approval of a furlough, the assigned probation and parole officer shall send out a notice of furlough to the following officials of the county in which the inmate is being furloughed:
 - (1) Commonwealth Attorney;
 - (2) County Attorney;
 - (3) Sheriff;
 - (4) Chief of Police;
 - (5) Probation and Parole Officer, if different; and
 - (6) Circuit Court Clerk of the county to which the inmate is released and the Circuit Court Clerk of the sentencing court if he is in a different county.

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- g. The furlough application and code of conduct shall be prepared on KOMS. After proper authorization, one (1) copy shall be given to the inmate prior to release with the parole officer or Center Operator documenting time of release and ensuring that the code of conduct has been signed. The inmate shall keep a copy of the furlough application on him at all times while on furlough.
- h. Each community center contact person shall maintain a log on a furlough, documenting time of application, approval or disapproval and pertinent comments. The log shall be presented to the District Supervisor on a quarterly basis for review.
- i. A disapproved furlough shall be routed in the same manner as an approved furlough with documentation as to the reason for disapproval.
- j. The parole officer may require the inmate on furlough to report in person or by phone to the probation and parole office.
- k. Contact shall be made with the probation and parole officer who prepared the presentence investigation relative to any envisioned problems with the initial furlough. If an inmate is furloughing to a different county other than the sentencing county, an officer shall be contacted in the county to which he intends to furlough to determine if there may be any potential problems.
- l. The inmate shall be advised before release on furlough that he may be subject to a urinalysis and a breathalyzer test upon return. If the inmate fails to submit to a test, or if the test results are positive, the inmate may be disqualified from any future furlough during his incarceration and may be dismissed from the program. Arrangements to have periodic testing shall be made in conjunction with the Center Operator.
- m. Any parole officer who experiences problems with a furlough shall contact his District Supervisor. The District Supervisor shall either give direction or contact the Contract Management Branch Manager.

K. Escape

An inmate who does not return from furlough or who escapes from a community center shall be prosecuted for escape. The following procedures shall be carried

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out to ensure the apprehension of the escapee in a timely and well organized manner.

1. Responsibility of the Jailer or Halfway House Director

- a. Notify the probation and parole officer within two (2) hours of the escape.
- b. Immediately enter the escapee in National Crime Information Center (NCIC) through the local law enforcement agency and request a warrant for escape.
- c. Prepare an extraordinary occurrence report and submit it to the Contract Management Branch Manager.
- d. Notify the Central Office Duty Officer.

2. Responsibility of the Probation and Parole Officer

- a. Notify the Contract Management Branch Manager of the escape and give pertinent details.
- b. Ensure that the escapee is entered into NCIC and that a local warrant is issued.
- c. Immediately notify local law enforcement agencies by telephone and officials elsewhere if there is cause to believe that the escapee may be in their area.
- d. Prepare a community center occurrence report and submit to the Contract Management Branch Manager and retain one (1) copy for file.

3. Responsibilities of the Contract Management Branch Manager

- a. Upon notification of details of escape, submit all information regarding the escape to Adult Institutions to be distributed to the proper authorities.
- b. Prepare an escape flyer giving pertinent information including a description, identifying marks or tattoos, addresses, family, and the person to contact if apprehended. One (1) copy of the flyer shall be distributed to each of the following agencies.

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- (1) Local law enforcement agencies;
- (2) Local law enforcement agencies in county of commitment or county of residence, if different counties;
- (3) Officials in any other known areas, both in and out of state that escapee may go;
- (4) Probation and parole officers in counties involved; and
- (5) Offender Information Services Branch.

- c. If an inmate is released erroneously from a halfway house or jail prior to the service of his sentence, the Contract Management Branch Manager shall secure a warden's warrant for escape as provided in KRS 440.010(1) from the Deputy Commissioner of Local Facilities.
- d. If the escapee has relatives in other states or it is known that the escapee is heading to another state, assistance in apprehending the escapee may be obtained through the United States Attorney. This may be done by writing a letter requesting assistance and attaching a copy of the escape flyer and other pertinent information that may be of assistance, along with names of relatives, addresses, city and state.
- e. The Contract Management Branch Manager shall see that a notice of discharge is prepared by the Records Clerk showing that the inmate was discharged by escape and that a copy is forwarded to the Offender Information Services Branch and one (1) copy retained in the inmate's file. The notice of discharge shall be distributed to the officials stipulated in KRS 197.170. In addition, the notice shall be distributed to a victim who has requested notification if a particular inmate is released.

L. Apprehension of Escapee

1. Once the escapee is apprehended, the Contract Management Branch Manager and the District Supervisor shall be notified. Additionally, the escapee's name shall be removed from NCIC.
2. If the probation and parole officer is successful in apprehending an escapee, a male escapee shall be returned directly to a designated secure

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institution, and a female escapee shall be returned to the Kentucky Correctional Institution for Women or Otter Creek Correctional Center.

3. If the escapee is apprehended by a local official on the county's escape warrant, the escapee shall be lodged in the local jail. The probation and parole officer shall immediately lodge a detainer with the center and request a copy of the warden's warrant from the Contract Management Branch Manager. Upon receipt of the warrant, the detainer shall be removed and the warrant lodged as the detainer. Additionally, the date the detainer is withdrawn shall be marked on the detainer stub.
4. If the escapee is given time to serve in the local jail, the probation and parole officer shall monitor the case and keep the Contract Management Branch Manager informed. The probation and parole officer shall also see that the center records are marked to notify the officer if the escapee completes his jail sentence.
5. Upon completion of the jail sentence, the officer shall transport the escapee back to a designated secure institution along with an incident report.
6. If the escapee is located out of state, the Contract Management Branch Manager shall see that arrangements are made for return. The escapee shall sign a waiver of extradition before arrangements may be completed for return or else an extradition proceeding shall be made through the Governor.
7. If the escapee is located, the Contract Management Branch Manager shall advise the United States Attorney and have the warden's warrant returned and placed in the inmate file.
8. The Contract Management Branch Manager shall notify Adult Institutions that the escapee has been located. Adult Institutions shall notify the proper authorities.
9. The Contract Management Branch Manager shall be responsible for seeing that the Records Clerk transfers the folder to the appropriate institution upon notice of the inmate's return.

M. Medical Needs of Community Center Inmates

1. An inmate classified to a community center shall be capable of functioning without significant ongoing professional intervention for physical or

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psychological problems. If the need for ongoing intervention develops, the inmate may be returned to an appropriate institution.

2. The day-to-day minor medical needs shall be handled by the Center Operator in the same fashion as his general population.
3. An immediate need shall be taken care of by the center with notification to the probation and parole officer assigned to the center. Bills for immediate care shall be sent to the Contract Management Branch Manager.
4. In most cases, medical needs may be handled by the available local health services. The Contract Management Branch Manager shall work closely with the Director of Medical Services and provide direction concerning requests for medical care which are not of an immediate nature and cases in which local medical personnel recommend hospitalization.
5. The Health Services Manager shall provide direction as to what action shall be taken.

N. Utilization of Community Center Inmates for Work Projects

1. An inmate in the community center may be utilized for governmental work projects. These activities shall be supervised by a specific individual and shall represent a community rather than a personal need or benefit. An inmate shall not work in private enterprises or in an activity that may be considered particularly dangerous.
2. A short term, a week or less, project may be approved by the probation and parole officer working with the community center. A longer project shall be approved through the District Supervisor and Contract Management Branch Manager.
3. The work supervisor shall sign the Supervision Guidelines for community center inmates. Each community center inmate assigned to a work crew shall sign the Work Experience Code of Conduct.

O. Work Crew Guidelines

The following work crew guidelines shall be followed at each community center:

1. A log shall be maintained at each community center documenting departure and arrival of each inmate from the Center and his assigned work supervisor;

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2. One (1) regular supervisor shall be assigned for each inmate crew;
3. An inmate shall not be allowed to visit with a friend or relative while working on an outside detail;
4. While on work detail, the inmate shall remain in his assigned work area;
5. An inmate shall not be paid by an organization or person other than Corrections for community service work;
6. Misconduct, fighting, stealing, leaving the work site without supervision, or possession of contraband shall be reported to the jailer immediately;
7. The work supervisor is required to sign the supervision guidelines for community center inmates, prior to assignment to a job site; and
8. A community center inmate assigned to a work crew shall sign the Work Experience Code of Conduct, prior to assignment to a job site.

P. Meritorious Good Time

An inmate may be eligible for an award of meritorious good time in accordance with Corrections Policy and Procedure 15.3.

Q. Community Center Monthly Report

The probation and parole officer working with each community center shall prepare a monthly report to be sent to the Central Office Contract Management Branch Manager and a copy to the District Probation and Parole Office Supervisor.

R. Probation and Parole Officer's responsibilities, if assigned as a Community Center Coordinator

The probation and parole officer shall coordinate and monitor the community center program to insure compliance with Corrections Policies and Procedures, contractual requirements, and guidelines pertaining to the community center program. The probation and parole officer shall be responsible for the following duties:

1. Administer the furloughs for community center residents except as otherwise provided;

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2. Prepare Pre-parole Progress reports, except as otherwise provided;
3. Offer recommendations in screening and selecting an inmate for the program;
4. Ensure that the inmate has an assigned work duty or educational program;
5. Assist in transportation;
6. Coordinate transfers from the community center;
7. Assist the community center in obtaining work, educational, and recreational programs that benefit the community center inmate;
8. Interview an inmate admitted to the program within five (5) working days, and orient the inmate to the rules and regulations of the program;
9. Make recommendations to the jailer or his designee as to the appropriate work assignments for the inmate;
10. Meet a minimum of once each week with the jailer or his designee regarding the community center program;
11. Check the jail log weekly to determine the arrival and departure of the inmate on work assignment, furlough, or other approved release;
12. Visit the work site twice per month to insure inmates are properly supervised;
13. Coordinate annual training of work supervisors and training for new supervisors prior to being assigned inmates;
14. Check to insure that the work supervisor has signed and understands the work supervision guidelines;
15. Check to insure that the community center inmates have signed and understand the work code of conduct guidelines;
16. Schedule a weekly time period at the facility to be available to meet with the inmate as needed;
17. Complete monthly community center reports;

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18. Maintain a daily activity log and documentation of all contacts with the community center program;
19. The probation and parole officer shall forward written reports to the District Supervisor of violations regarding compliance with contractual agreements and guidelines of the community center program; and
20. Performs other related duties as assigned.

S. Responsibilities of the Jailer or Halfway House Director

It is the responsibility of the Jailer or Halfway House Director to ensure public safety by providing adequate supervision and close monitoring of the community center inmates. In order for the program to be successful in the local community and statewide, the following minimum requirements shall be completed by the Jailer or Halfway House Director. The Jailer or Halfway House Director shall:

1. provide the inmate with a copy of the rules and regulations regarding the community center program;
2. discuss with the probation and parole officer, the inmate job assignment and advise the probation and parole officer of a change in the work assignment;
3. visit each work site a minimum of twice each month to ensure proper work supervision and shall document the visit in a log;
4. meet with the work supervisor on a quarterly basis to review work assignments, disciplinary problems, and supervision requirements;
5. ensure that a community center inmate does not have contact with the general public except on a supervised work detail or approved supervised recreational activity;
6. coordinate and schedule contact visitation, use of exercise, and multi-purpose areas; and
7. ensure that the community center inmate is properly supervised by trained staff if outside the security of the jail or halfway house for a purpose other than a normal work assignment. An adequate staff to inmate ratio shall be maintained to ensure proper supervision based on the security needs. Outside activities shall be approved by the community center Program Administrator.